

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CATCH A WAVE TECHNOLOGIES, INC.,

No. C 12-05791 WHA

Plaintiff,

v.

SIRIUS XM RADIO, INC.,

**REQUEST REGARDING
APRIL 3 HEARING**

Defendant.

At the hearing on April 3, counsel shall please be prepared to address the following:

1. Counsel shall please identify precisely the patentable improvements over the prior art.
2. Assume that split-frequency simultaneous operation, meaning listening (and recording) two channels within a given band simultaneously, was available in the prior art. What was claimed by the patent over such prior art?
3. What special meaning was given by the patent to the term “channel extractor?” Please identify relevant passages of the patent and any expert opinions on point. At least in an initial review of the patent, “channel extractor” seems to be equivalent simply to a radio tuned to a specific station (*e.g.*, within the AM radio band there are many stations broadcasting at any given time, so would a “channel extractor” simply be a receiver tuned to a particular channel, *i.e.*, KCBS at 740 kHz)? Is this the way “channel extractor” is used in the asserted patent?

Dated: March 31, 2014.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE